

REMARKS

Claims 1, 3, 4, 7, and 13-40 are currently pending. Claim 12 has been canceled in the present amendment. Applicants respectfully request reconsideration of the application.

Response to Arguments

In response to the Amendment filed on February 4, 2008, the Office has maintained 103 rejections made in the previous office action. In doing so, the Office has asserted that any encryption/decryption key stored in the lead-in area would meet the claim limitation, “copy protection indicating information indicating whether or not the computer readable medium contains copy protection information for use in encryption/decryption data.” Applicants respectfully disagree. As will be discussed below in detail, at least one difference between the claimed invention and the cited references is that separate areas exist for the copy protection information and the copy protection indicating information. As such, an encryption/decryption key stored in the lead-in area alone does not meet the claim limitations.

Claim Rejections – 35 U.S.C. §103(a)

Claims 1, 3, 4, 7, and 12-40 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Newman (U.S. Patent 6,353,890) in view of Timmermans (U.S. Patent No. 5,737,286). This rejection is respectfully traversed.

In rejecting claim 1, the access control information of the Newman patent appears to be viewed by the Office to correspond to the copy protection information. However, what is missing in the Newman patent is the copy protection indicating information stored in the computer readable medium. In this regard, the Timmermans patent is similar in nature.

Claim 1 has been amended to recite “computer readable medium having ... a first data field area for storing copy protection information, comprising: a lead-in area including a second data field area storing copy protection indicating information indicating whether or not the computer readable medium contains the copy protection information in the first data field area... the copy protection information being encryption/decryption key information required for use in encrypting/decrypting the data.” Newman’s disclosure of the encryption/decryption key in a single data field does not disclose or suggest the two separate data fields recited in claim 1 or the “copy protection indicating information” stored in one of those fields as recited in claim 1. As pointed out previously, Timmermans does not overcome these disclosure deficiencies of Newman. Since, neither of the cited references, taken alone or in combination, teach all the limitations of the claimed invention, Applicants assert that the Office has failed to state a *prima facie* case of obviousness, and that claim 1 is patentable. Claims 7, 13, 19, 24, 30, and 36 have been amended to contain similar claim languages as that cited above with respect to claim 1 and are allowable for at least the same reasons as set forth above with regard to claim 1.

The remaining pending claims depend, either directly or ultimately, from one of claims 1, 7, 13, 19, 24, 30, and 36, rendering them also allowable for at least the same reasons.

CONCLUSION

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Gary D. Yacura, at the number of the undersigned listed below.

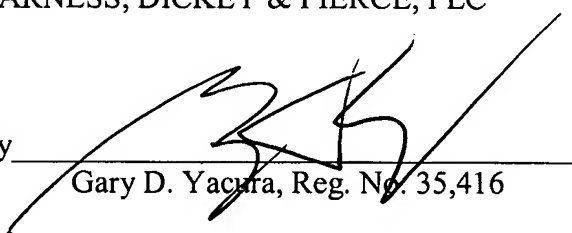
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1050 extension fee herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY & PIERCE, PLC

By


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